Barry J. Ohlson
Vice President, Regulatory Affairs
Public Policy Office

February 1, 2013

VIA ECFS
Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: 2010 Quadrennial Review – Review of the Commission's Broadcast Ownership Rules And Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996; MB Docket No. 09-182

Dear Ms. Dortch:

On January 30, 2013, John Feore of Dow Lohnes PLLC and the undersigned with Cox Enterprises on behalf of Cox Media Group (collectively "Cox") had a telephone conversation with Bill Lake, Chief of the Media Bureau, Hillary DeNigro, Chief of the Industry Analysis Division, and Brendan Holland, Assistant Chief of the Industry Analysis Division.

During these conversations and messages, we reaffirmed Cox's interest in changes to the Commission's newspaper/broadcast cross ownership rules consistent with the attached outline and in response to recent reports on possible station limits in a revised newspaper/radio cross ownership rule. We also reiterated our support for a move from a contour-based approach to a modified DMA- and Arbitron Metro-based approach for identifying newspaper-broadcast combinations that would be covered by any remaining rule.

This letter is being filed electronically pursuant to section 1.1206 of the Commission's rules

Sincerely,

/s/
Barry Ohlson

Attachment

cc: Bill Lake, Hillary DeNigro, Brendan Holland

Cox Media Group
<u>MB Docket No. 09-182</u>

- **<u>Cox Media Group Holdings</u>**
  - 8 Daily and 16 Weekly Newspapers
  - 15 Full-Power TV Stations
  - 86 Radio stations
  - More than 9,000 employees

- **<u>It Is Time to Eliminate the NBCO Rule</u>**
  - Cox's longstanding cross-owned properties in Atlanta and Dayton demonstrate that cross-ownership enhances diversity, localism, and competition – a conclusion amply supported in the record before the Commission developed over many years
    - Cox's Dayton and Atlanta newspaper/broadcast combinations were grandfathered when the Commission adopted the NBCO Rule in 1975; certain more recent media combinations in Dayton and Atlanta are subject to pending waiver requests
  - Both short- and long-term trends in the newspaper industry suggest readers can expect less professional journalism service in coming years (*e.g.*, *New Orleans Times-Picayune*)
  - Permitting cross-ownership could slow and perhaps reverse these trends

- **<u>At a Minimum, It Is Time to Rationalize the NBCO Rule</u>**
  - Eliminate Radio from the Cross-Ownership Ban
    - Today radio does plays a very different role than either television or newspapers
    - Newspaper/radio combinations are an important investment lifeline to newspaper industry
  - Replace contour-based rule with market-based rule for newspaper/broadcast combos
    - Arbitron-based standard would be consistent with local radio ownership trigger
    - Modified DMA-based trigger would better reflect media markets but rule should apply only if <u>all</u> of the following conditions are met:
      - Newspaper and television station are located in same DMA;
      - Newspaper's circulation exceeds 5 percent of the households in the television station's community of license; and
      - The digital equivalent of a television station's Grade A contour fully encompasses the newspaper's community of publication
    - Existing combinations should be grandfathered
  - Permit NBCO Combinations to participate fully in local media markets
    - Any waiver should permit a single owner to operate a newspaper and as many television and radio stations as permitted by the local ownership rules
  - Adopt uniform, two-pronged NBCO waiver standard for all markets
    - <u>Diversity Prong</u>: 20 voices test
    - <u>Localism Prong</u>: 3 independent news producers other than the combining properties remain in the market